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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 STEVIE NELON,

13 Defendant.

Case No. 2:21-cr-00158-RFB-DJA

14 **STIPULATION TO CONTINUE
SENTENCING HEARING
(First Request)**

15 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
16 United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, counsel for
17 the United States of America, and Rene L. Valladares, Federal Public Defender, and
18 Rebecca A. Levy, Assistant Federal Public Defender, counsel for Stevie Nelon, that the
19 Sentencing Hearing currently scheduled on June 18, 2024, at 8:00 a.m., be vacated and
20 continued to a date and time convenient to the Court, but no earlier than sixty (60) days.

21 The Stipulation is entered into for the following reasons:

22 1. Defense counsel needs additional time to gather mitigation information for this
client relevant to the sentencing and disposition of this case. Additionally, Defense counsel is
23 scheduled to be in trial on another matter starting June 18th for approximately two weeks and
24 will be unavailable during that time.
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1 2. Furthermore, considering the recent Ninth Circuit ruling in *United States v.*
2 *Duarte*, No. 22-50048 (9th Cir. May 9, 2024) and the potential ramifications that case may have
3 on the instant matter, the parties wish to continue the sentencing hearing pending the resolution
4 of the petition for hearing en banc filed by the government in *Duarte*.

5 3. The defendant is not incarcerated and does not object to the continuance.

6 4. The parties agree to the continuance.

7 This is the first stipulation to continue filed herein.

8 DATED this 3rd day of June 2024.

9 RENE L. VALLADARES
10 Federal Public Defender

JASON M. FRIERSON
United States Attorney

11 /s/ *Rebecca A. Levy*
12 By _____
13 REBECCA A. LEVY
14 Assistant Federal Public Defender

/s/ *Daniel J. Cowhig*
By _____
DANIEL J. COWHIG
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
STEVIE NELON,
Defendant.

Case No. 2:21-cr-00158-RFB-DJA

ORDER

Based on the stipulation and good cause appearing:

IT IS ORDERED that the sentencing hearing currently scheduled for Tuesday, June 18, 2024, at 8:00 a.m., be vacated and continued to August 23, 2024 at 10:00 a.m.

DATED this 4th day of June 2024.

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UNITED STATES DISTRICT JUDGE